

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SCOTT JOHNSON,
Plaintiff,

v.

JEANETTE MACHADO, et al
Defendants.

Case No. 17-cv-02163-NC

**ORDER TO SHOW CAUSE WHY
CASE SHOULD NOT BE
DISMISSED FOR FAILURE TO
PROSECUTE**

On September 26, 2018, this Court held a hearing on plaintiff Scott Johnson's motion for attorney fees. Dkt. No. 59; *see also* Dkt. No. 55. At that hearing, the parties agreed to enter a settlement in lieu of the Court ruling on the motion for attorney fees. Dkt. No. 59. Johnson timely filed a notice of settlement on October 3, 2018, and the Court accordingly denied without prejudice the motion for attorney fees in light of the noticed settlement. Dkt. Nos. 62 & 63. Johnson was ordered to file a new motion for attorney fees if the case was not dismissed by November 7, 2018. Dkt. No. 63. Johnson did not file a notice of dismissal by that date. Therefore, Johnson is **ORDERED TO SHOW CAUSE by November 9, 2018** why the case should not be dismissed for failure to prosecute.

IT IS SO ORDERED.

Dated: November 8, 2018


NATHANAEL M. COUSINS
United States Magistrate Judge